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SUBJECT: ARGENTINA: AMBASSADOR MEETS WITH INCOMING BUENOS AIRES CITY MINISTER OF SECURITY MONTENEGRO

REF: BUENOS AIRES 01994

Classified By: AMBASSADOR E. ANTHONY WAYNE FOR REASONS 1.4 (B) AND (D)

¶1. (C) Summary: Ambassador Wayne met former federal judge Guillermo Montenegro, who was enthusiastic about his new position as Minister of Security-elect of Buenos Aires City, outlining political and bureaucratic challenges he anticipates in his "first executive assignment." He spoke openly about the development and administration of the Ministry of Security, sharing in detail what will be the ministry's strategic, tactical and operational plans and goals. Ambassador Wayne noted that crises in the United States have and will continue to prompt comparable crisis management and law enforcement agency changes and offered Embassy assistance to help Montenegro's team learn from U.S. experience. Ambassador Wayne asked about the status of the high-profile Skanska corruption investigation, which Montenegro had been supervising until his resignation from the federal bench. Montenegro claimed that he had left the case in capable hands and it would remain intact. End Summary.

There's a New Sheriff in Town

¶2. (C) Ambassador Wayne, accompanied by A/Legatt and poloff, met former federal judge Guillermo Montenegro on October 23. Montenegro will take over as Public Security Minister of Buenos Aires City on December 10 when Mauricio Macri is sworn in as mayor. Ambassador Wayne asked about the future Ministry of Security's size and scope of responsibility. Montenegro estimates a staff of 4,000, divided on functional lines into three subgroups: Security, Justice and Emergencies. Justice will have responsibility for vital statistics and will deal with birth and death issues. Security will administer Montenegro's planned but currently non-existent city police force. Montenegro believes the federal government should either make more efficient use of existing police resources, or, as he prefers, transfer jurisdiction of federal police activities for Buenos Aires City to his ministry. (Currently, Buenos Aires does not have an autonomous police force and is patrolled by federal police. Mayor-elect Mauricio Macri campaigned on creating a city police force and has been negotiating the transfer of control of the city police to the city government. The Argentine Congress and Nestor Kirchner administration agreed

to change the law to allow the city autonomous control of its own police force, but has not agreed to provide funding for its creation.) Should the federal government fail to pursue either course, Montenegro expressed serious concern about the city government's ability to provide quick and effective emergency assistance in the event of a terrorist attack, bombing, or natural disaster, citing lessons learned from 1992 Israeli embassy and 1994 AMIA bombings. Montenegro did not define the "Emergencies" subgroup, commenting only that it will focus on crisis pre-planning and management and should be empowered with the resources and authority to lead and administer crisis response for Buenos Aires City.

Comparable Growing Pains

¶13. (C) Ambassador Wayne likened Argentina's law enforcement and crisis management jurisdictional challenges to those in the United States, citing recent natural disasters and the challenges they presented in terms of coordinating emergency response and assistance efforts among federal, state and local law enforcement and disaster relief agencies. A/Legatt asked if links exist with law enforcement personnel in other Argentine cities to promote exchange and foster cooperation. Montenegro was quick to point out that Argentine culture does not reward nor foster interagency cooperation.

Don't Expect the N.Y.P.D.

¶14. (C) When asked about a timetable for the new police force's creation, Montenegro observed that he wasn't convinced it would actually happen. Assuming the force's creation, Montenegro voiced concern over its prospective members, low salaries, educational preparedness, and competition for resources. Prefacing his long-term force development plan with the admission that he would not be able to replicate the New York Police Department, Montenegro said he envisions a vigorous training process, to include significant civilian relations training and unspecified rewards and incentives for honest, hardworking personnel. In the short term, Montenegro wants to immediately create an "elite" rapid response/crowd control force to be first responders in the event of civil unrest, disturbances and/or catastrophes.

Similar Challenges Provide Bilateral Opportunities

¶15. (C) A/Legatt noted that community-based policing has proven to be an effective means to combat crime in large U.S. cities and suggested that Montenegro learn more about it. Ambassador Wayne stressed that major U.S. cities -- New York, Miami, Washington D.C. -- have long experience navigating political and bureaucratic challenges inherent to sometimes overlapping and competing law enforcement and crisis management jurisdictions among city, state and federal agencies. Montenegro explained in great detail Argentina's ineffective and inefficient legal system that creates an almost impossible environment to fully investigate and successfully prosecute complex cases, plus the lack of authorities and trust in the police that he would like to change in a new metropolitan police force. Ambassador Wayne offered the Embassy's assistance to provide training resources and/or to facilitate visits to U.S. cities so Montenegro and his staff might learn firsthand from U.S. experiences. Montenegro thanked the Ambassador for the offers, stating that there is no shame in replicating success and observing that his door will be open to the Embassy.

Passing the Skanska Baton

¶16. (C) Ambassador Wayne closed the discussion by turning briefly to Montenegro's September 28 resignation as the

federal judge in charge of the Skanska criminal case (Reftel A), asking specifically for information on replacement investigating magistrate Sergio Torres and what to expect next in the investigation. Montenegro limited his reply, sharing his opinion that Torres "is a good person" and capable of leading the investigation. He characterized the investigation as intriguing and complex. A/Legatt stated that high-profile corruption cases in the U.S. require the utmost secrecy to avoid public knowledge that can hamper the investigation through the destruction of evidence and tampering of witnesses. Montenegro assured the Ambassador that the necessary evidence is intact and protected, but that it is the analysis of the evidence that is exceedingly difficult and slows down the investigation.

¶7. (C) Comment: Montenegro was openly enthusiastic about his new assignment as Minister of Security and unfazed by criticism from many quarters for abandoning the Skanska investigation, potentially the most damaging of the high-profile corruption cases involving Kirchner administration officials. Nonetheless, Montenegro's resignation as judge will, at a minimum, cause significant delays in the Skanska investigation. The fact that Mayor-elect Macri -- ostensibly a leader of the opposition -- did Kirchner a huge favor by wooing Montenegro away from this case has led to some speculation about whether Macri and Kirchner cut some kind of Faustian bargain.

WAYNE